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## TABLE OF CONTENTS

	<u>page</u>
<b>I. AUTHORIZED FACILITIES</b>	<b>1</b>
<b>II. AUTHORIZED DISCHARGES</b>	<b>1</b>
<b>III. AREAS EXCLUDED FROM AUTHORIZATION UNDER THIS GENERAL NPDES PERMIT</b>	<b>2</b>
A. Protected water resources and special habitats	2
B. At-risk water resources and water bodies	2
C. Degraded water bodies	3
D. Areas covered by other general NPDES permits	3
E. Waiver	4
<b>IV. APPLICATION TO BE PERMITTED UNDER THIS GENERAL NPDES PERMIT</b>	<b>4</b>
A. Submittal of a Notice of Intent to be covered under this general NPDES permit	4
B. What constitutes a "timely" submittal of a Notice of Intent	5
C. What constitutes a "complete" submittal of a Notice of Intent	5
D. How does an applicant request a waiver to discharge in an excluded area under this general NPDES permit	8
<b>V. CATEGORIES OF PERMITTEES AND REQUIREMENTS</b>	<b>9</b>
A. Off-shore seafood processors	9
B. Near-shore seafood processors	11
C. Shore-based seafood processors	13
<b>VI. SPECIFIC WASTE MINIMIZATION AND MONITORING REQUIREMENTS</b>	<b>16</b>
A. Best management practices plan	16
B. Annual report	19
C. Seafloor monitoring requirements	20
D. Sea surface and shoreline monitoring requirements	27
<b>VII. RECORDING AND REPORTING REQUIREMENTS</b>	<b>29</b>
A. Records contents	29
B. Retention of records	29
C. Twenty-four hour notice of noncompliance reporting	29
D. Other noncompliance reporting	30
<b>VIII. COMPLIANCE RESPONSIBILITIES</b>	<b>30</b>

A.	Duty to comply .....	30
B.	Penalties for violations of Permit conditions .....	31
C.	Need to halt or reduce activity not a defense .....	31
D.	Duty to mitigate .....	32
E.	Proper operation and maintenance .....	32
F.	Bypass of treatment facilities .....	32
G.	Upset conditions .....	33
H.	Planned changes .....	33
I.	Anticipated noncompliance .....	34
<b>IX.</b>	<b>GENERAL PROVISIONS .....</b>	<b>34</b>
A.	Permit actions .....	34
B.	Duty to reapply .....	34
C.	Duty to provide information .....	34
D.	Incorrect information and omissions .....	34
E.	Signatory requirements .....	34
F.	Availability of reports .....	35
G.	Inspection and entry .....	35
H.	Oil and hazardous substance liability .....	36
I.	Property rights .....	36
J.	Severability .....	36
K.	Transfers .....	36
L.	State laws .....	36
M.	Reopener clause .....	37
<b>X.</b>	<b>DEFINITIONS and ACRONYMS .....</b>	<b>37</b>
<b>APPENDIX:</b>	<b>List of Areas Excluded from Coverage .....</b>	<b>40</b>

## I. AUTHORIZED FACILITIES

Subject to the restrictions of Part III of this Permit (excluded areas) and Part V, the following categories of dischargers are authorized to discharge the pollutants set out in Part II of this Permit once a Notice of Intent has been filed with, and an written authorization is received from, EPA:

- ! Owners and operators of shore-based facilities engaged in the processing of fresh, frozen, canned, smoked, salted or pickled seafood;
- ! Owners and operators of near-shore vessels engaged in the processing of fresh, frozen, canned, smoked, salted or pickled seafood; and
- ! Owners and operators of off-shore vessels engaged in the processing of fresh, frozen, canned, smoked, salted or pickled seafood and seafood paste, mince or meal.

Shore-based and near-shore seafood processors discharging seafood paste, mince or meal process wastes to receiving waters within one (1) nautical mile of shore at MLLW *are not authorized* to discharge under this general NPDES permit.

Operations which catch and process seafood and which discharge less than one thousand (1,000) pounds of seafood waste per day and less than fifteen tons (30,000 lbs) of seafood waste per year *may be but are not required to be covered* under this general NPDES permit.

## II. AUTHORIZED DISCHARGES

This Permit authorizes the discharge of the following pollutants subject to the limitations and conditions set forth herein:

- ! Seafood process wastes, including the waste fluids, organs, flesh, bones, and chitinous shells produced by the conversion of aquatic animals from a raw form to a marketable form, are required to be ground to no larger than 0.5 inches in any dimension prior to discharge.

No more than ten (10) million pounds per year of solid seafood processing waste residue may be discharged within one nautical mile of shore at MLLW.

- ! Process disinfectants added to wash-down water and scrubber water to facilitate the removal of wastes and to maintain sanitary standards during processing or to sanitize seafood processing areas.

- ! Sanitary wastewater (consisting of human body wastes from toilets and urinals) discharged to local municipal treatment facilities or treated via certified and operable Type I and Type II Marine Sanitation Devices.
- ! Other wastewaters, including domestic wastewater, cooling water, boiler water, gray water, freshwater pressure relief water, refrigeration condensate, water used to transfer seafood to the facility, and live tank water.

The discharge of ~~wastes~~ pollutants not specifically set out in this Part is not authorized under this Permit.

This general NPDES permit does not authorize any discharges from facilities that (1) have not submitted a Notice of Intent and received written authorization to discharge under this Permit from EPA, or (2) have not been notified by EPA that they are covered under this Permit as provided for in the Code of Federal Regulations (CFR) Vol. 40, 122.28(b)(2)(vi).

All discharges shall be in compliance with Alaska Water Quality Standards [18 ACC Part 70].

### III. AREAS EXCLUDED FROM AUTHORIZATION UNDER THIS GENERAL NPDES PERMIT

Subject to the waiver provision set out in Part III.E below, this Permit does not authorize the discharge of pollutants in the following circumstances.

#### A. Protected water resources and special habitats

This Permit does not authorize the discharge of pollutants in the protected water resources and special habitats as described below and listed in the Appendix.

1. Within one (1) nautical mile of a State Game Sanctuary, State Game Refuge or State Critical Habitat.
2. Within one (1) nautical mile of a National Park or Preserve.
3. Within one (1) nautical mile of a National Wildlife Refuge.
4. Within one (1) nautical mile of a National Wilderness Area.
5. In a river designated as wild or scenic under the Wild and Scenic Rivers Act.
6. Within three (3) nautical miles of the seaward boundary of a rookery or major haul-out area of the Steller sea lion which has been designated as "critical habitat" by the National Marine Fisheries Service (NMFS).

~~7. Within one (1) nautical mile of the seaward boundary of a rookery of the northern fur seal during the period May 1 through November 15.~~

78. Within one (1) nautical mile of the seaward boundary of a nesting area of a colony of one thousand or more of the following seabirds during the period May 1 through September 30: auklets, cormorants, fulmars, guillemots, kittiwakes, murrelets, murre, puffins and/or terns.

#### **B. At-risk water resources and water bodies**

This Permit does not authorize the discharge of pollutants in the following at-risk water resources and water bodies.

1. Areas with water depth of less than ten (10) fathoms mean lower low water (MLLW) that have or are likely to have poor flushing, including but not limited to sheltered water bodies such as bays, harbors, inlets, coves and lagoons and semi-enclosed water basins bordered by sills of less than ten (10) fathom depth. For the purposes of this section, "poor flushing" means average currents or turbulence of less than one third (0.33) of a knot at any point in the receiving water within three hundred (300) feet of the outfall.
2. Akun Island: Lost Harbor.
3. Streams or rivers within one (1) statute mile upstream of a permanent drinking water intake.
4. Lakes or other impoundments of fresh water.

#### **C. Degraded water bodies**

This Permit does not authorize the discharge of pollutants in the following degraded water bodies.

1. Akutan Island: Akutan Harbor west of longitude 165E46'00" W.
2. Unalaska Island: Unalaska Bay and continuous inshore waters south of latitude 53E57'50" N.
3. Udagak Bay: waters of the bay from a line extending between latitude 53E44'32" N, longitude 166E19'14" W and latitude 53E44'04" N, longitude 166E18'32" W.
4. Ward Cove.

5. Any waterbody included in ADEC's CWA § 305(b) report or CWA § 303(d) list of waters which are "impaired" by seafood processor discharges or "water quality-limited" for dissolved oxygen or residues (i.e., floating solids, debris, sludge, deposits, foam or scum).

**D. Areas covered by other general NPDES permits**

1. This Permit does not authorize the discharge of pollutants to receiving waters adjacent to the City of Kodiak, including Kodiak Harbor, St. Paul Harbor, Near Island Channel, Women's Bay and Woody Island Channel.
2. This Permit does not authorize the discharge of pollutants to the receiving waters within three nautical mile of the Pribilof Islands.

**E. Waiver**

An owner or operator of a seafood processing facility may request a waiver to discharge under this Permit in the excluded areas listed in Parts III.A.-D above. In order to obtain a waiver to discharge in one or more of these excluded areas, an applicant must submit a timely and complete request for a waiver in accordance with the requirements listed in Part IV.D below. Pre-existing, permanent onshore siting may be considered justification for a waiver.

A waiver will not be granted until after consultation between EPA, ADEC and other appropriate government offices to determine that the proposed discharge will comply with applicable State and federal laws and regulations and State-approved Coastal Zone Management Plans.

**IV. APPLICATION TO BE PERMITTED UNDER THIS GENERAL NPDES PERMIT**

In order to be authorized to discharge any of the pollutants set out in Part II above to waters of the United States under this general NPDES permit, one must apply for coverage under this Permit. This general NPDES Permit does not authorize any discharges from facilities that have not applied for and received permission to discharge under this Permit from EPA. EPA may notify a discharger that it is covered by this general NPDES permit, even if the discharger has not submitted a Notice of Intent (40 CFR 122.28(b)(2)(vi)).

**A. Submittal of a Notice of Intent to be covered under this general NPDES permit**

An applicant wishing authorization to discharge under this Permit shall submit a timely and complete Notice of Intent (NOI) to EPA and ADEC in accordance with the requirements listed below. A qualified applicant will be authorized to

discharge under this Permit upon its certified receipt from EPA of written notification of inclusion and the assignment of an NPDES Permit number.

EPA may require any discharger applying for coverage under this general NPDES Permit to apply for and obtain an individual NPDES Permit in accordance with 40 CFR 122.28(b)(3).

Any applicant planning to construct a facility, or to convert a facility not previously permitted and to discharge pollutants regulated under NPDES shall be required to prepare an Environmental Information Document (EID) for use by EPA Region 10. EPA will use the EID to prepare an Environmental Assessment to make a determination of impact in compliance with the National Environmental Protection Act (NEPA). Guidance for preparing the EID can be obtained by contacting EPA's Office of Water, NEPA Compliance Coordinator.

A permittee authorized to discharge under this Permit shall submit to EPA and ADEC an updated and amended NOI when there is any material change in the information submitted within its original NOI.

In compliance with the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.* the Office of Management and Budget has approved the information in a Notice of Intent to be equivalent to a permit application (OMB No. 2040-0086).

A permittee shall submit its original Notice of Intent to be covered under this general NPDES Permit to:

U.S. Environmental Protection Agency Region 10  
NPDES Compliance Unit OW-133  
1200 Sixth Avenue  
Seattle, Washington 98101

and, copy to:

Alaska Department of Environmental Conservation  
Attention: Air and Water Quality Division  
P.O. Box 1709  
Valdez, Alaska 99686

**B. What constitutes a "timely" submittal of a Notice of Intent**

1. New permittee. A new permittee seeking coverage under this Permit shall submit an NOI at least 60 days prior to commencement of operation and discharge.



2. **Continuing** permittee. A **continuing** permittee authorized to discharge under the general NPDES Permit for seafood processors effective for the period August 4, 1995, through August 4, 2000, **shall submit an NOI prior to the expiration of the 1995 permit, no later than June 4, 2000. Upon receipt of the new NOI , a continuing permittee's coverage will be administratively extended under the 1995 permit .**
3. Individual permittee. A permittee authorized to discharge under an individual NPDES Permit and applying for authorization to discharge pollutants under this Permit should submit an NOI at least 60 days prior to the desired date of authorization to discharge under this Permit and at least 180 days prior to the expiration date of the individual NPDES permit.

**C. What constitutes a "complete" submittal of a Notice of Intent**

1. Permit(s) and license information.

An NOI shall include any NPDES number(s) currently or previously assigned to the facility and the ADEC seafood processor license number.

2. Owner/operator information.

An NOI shall include the company name, the owner and/or operator's name, the complete address and telephone number of the owner of the facility, and the name of its duly authorized representative. If a facsimile machine or email address is available at this address, it is useful to provide a FAX number or email address.

3. Company or managing company information.

An NOI shall include the name and the complete address and telephone number of the managing company and the name of its duly authorized representative. If a facsimile machine or email address is available at this address, it is useful to provide a FAX number or email address.

4. Facility or vessel information.

- a. An NOI shall include the name, address and telephone number of the facility. If the name of the facility has changed during the last five years, the NOI shall include the previous name(s) of the facility and the date(s) of these changes. If a facsimile machine or email address is available at this address, it is useful to provide a FAX number or email address.

- b. For near-shore and shore-based facilities, an NOI shall include a description of the physical location of the facility and its accurate location in terms of latitude and longitude with a precision of at least 15 seconds of a degree (. 0.25 mile).

The NOI shall also include an area map of the facility and its outfall(s). This map shall be based upon an official map or chart of the National Oceanic and Atmospheric Administration (NOAA) or the U.S. Geologic Survey (USGS) of a scale of resolution of from 1:20,000 to 1:65,000.

- c. An NOI should include the number of seasonal and annual employees of the facility.
- d. For floating facilities, an NOI shall include the U.S. Coast Guard (USCG) vessel number, the type, length and date of purchase of the vessel, and any former name of the vessel.

5. Facility classification.

An NOI shall include the classification(s) of the facility as one or more of the following categories of seafood processors:

- a. Shore-based seafood processor: a processor operating and discharging less than one half (0.5) nautical mile from shore at MLLW.
- b. Near-shore seafood processor: a processor operating and discharging from one (1) to one half (0.5) nautical mile from shore at MLLW.
- c. Off-shore seafood processor: a processor operating and discharging more than one (1) nautical mile from shore at MLLW.

6. Projected production information.

An NOI shall include projected production data based upon historical operations and design capacity. Production data includes an identification of the process applied to the product, the name and quantity (in lbs) of the raw product(s) by species, the type of the finished product(s), and the design capacity of the quantity (in lbs) of each raw product which can be processed in a 24-hour day. The NOI shall also include the projected processing location(s) and number of operating days by month for the facility.

7. Receiving water information.

An NOI shall include the name(s) of the water body(ies) receiving the discharges of the facility and the name of any larger, adjacent receiving waterbody.

The NOI shall include information concerning any areas within three (3) nautical miles which are excluded from coverage under the Permit in Part III above.

For near-shore and shore-based processors, an NOI shall include a bathymetric map of the receiving water within one (1) nautical mile of the discharge.

8. Description of discharges.

An NOI shall include information concerning all the discharges from the facility.

- a. Sanitary wastes. The NOI shall identify the type of the sanitary wastewater treatment system. **For shore-based facilities, identify the municipal system that accepts the discharge or whether an on-site treatment system is used. For vessels, identify the type of marine sanitation device (MSD), including the date when the USCG approved and certified the MSD; when it was installed, capacity (gal/day), and number of people using the MSD.**
- b. Seafood process wastes discharges. An NOI shall include the depth at MLLW and distance from shore at MLLW of the end of the outfall pipe at which the effluent is discharged; name and type of grinder and grinding size; state if there is no processing discharge; and if by-catch is ground and discharged.
- c. Other wastewater. The NOI shall include information on process disinfectants, domestic wastewater, cooling water, boiler water, refrigeration condensate, transfer water, gray water, live tank water and freshwater pressure relief water.

9. Submittals.

Requests for waivers, a bathymetric map showing the facility and the surrounding receiving water to a distance of three (3) to five (5) nautical miles, a diagrammatic map showing the facility and its outfall locations, Best Management Practices plan certification, seafloor surveys, and other pertinent documents may be submitted with the NOI.

10. Signatory requirements. All Permit applications shall be signed as follows:

- a. For a corporation: by a principal corporate officer.
- b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively.
- c. For a municipality, state, federal, or other public agency: by either a principal executive officer or ranking elected official.

**D. How does an applicant request a waiver to discharge in an excluded area under this general NPDES permit**

An applicant who seeks a waiver of one or more of the requirements for discharge location in Part III above must submit a timely and complete request for a waiver in accordance with the following requirements.

1. A Notice of Intent to be authorized to discharge under this general NPDES Permit in accordance with the requirements of Parts IV.A-C above.
2. A detailed description of the circumstances requiring discharges to the excluded areas. This description should address alternatives to discharging within the excluded area.
3. A detailed description of the nature, magnitude and duration of the seafood processing operation and its discharges.
4. A detailed map showing the proposed facility location, outfall location, receiving water bathymetry, surrounding upland topography, and any protected water resources, special habitats or areas listed in Part III above which are located within three (3) nautical miles of the site or its outfall. This area map of the facility and its outfall(s) shall be based upon an official map or chart of NOAA or USGS of a scale of resolution from 1:20,000 to 1:65,000.
5. A description of how and why the discharges will not cause a violation of State water quality standards, including antidegradation, in the receiving waters [Alaska Administrative Code (AAC) Vol. 18, Part 70].
6. A description of how and why the discharges will not cause a significant degradation of the physical, chemical or biological integrity of the receiving water. Examples of such environmental degradation include but are not limited to seafloor deposits of settleable residues, shoreline deposits of residues, and the increased mortality in communities of marine life.

7. A description of how and why the discharges will not harm or impair the reproduction and growth of any threatened or endangered species within three (3) nautical miles of the proposed operation and discharge.

***A waiver will not be granted until after consultation between EPA, ADEC and other appropriate government offices to determine that the proposed discharge will comply with applicable State and federal laws and regulations and State-approved Coastal Zone Management Plans.***

## **V. CATEGORIES OF PERMITTEES AND REQUIREMENTS**

### **A. Off-shore seafood processors**

(a processor operating and discharging more than one (1) nautical mile from shore at MLLW)

1. Effluent limitations and requirements.
  - a. Amount of seafood process wastes. A permittee shall not discharge a volume or weight of seafood process wastes on a daily or annual basis which exceeds the amount reported in the permittee's Notice of Intent to be covered under this Permit.
  - b. Treatment and limitation of seafood process wastes. A permittee shall route all seafood process wastes through a waste-handling system. The waste solids discharged from the end of pipe shall not exceed one half (0.5) inch in any dimension.
  - c. Scupper and floor drain wastes. A permittee shall route all incidental seafood process waste discharge from scuppers and floor drains through a waste-handling system. The waste solids discharged from the end of pipe shall not exceed one half (0.5) inch in any dimension.
  - d. Waste-handling system. A permittee shall conduct a daily visual inspection of the waste-handling system, including a close observation of the sump or other place of observation for, and removal of, gloves, earplugs, rubber bands, other equipment used processing seafood that may inadvertently be discharged through the outfall. Discharge of such items is prohibited. Logs of this daily inspection are to be kept on-board the vessel. Summaries of any equipment found and removed shall be submitted with the annual report.
  - e. Grinder system. A permittee shall conduct a daily inspection of the grinder system during the processing season to confirm that the

grinder(s) are grinding the seafood wastes to no larger than 0.5 inch in any dimension. Logs of this daily inspection are to be kept on-board the vessel. Failure of the 0.5 inch grinding size is to be reported to EPA in accordance of Part VII.C and summarized in the annual report.

- f. Outfall system. A permittee shall discharge seafood processing wastes at least three feet below the sea surface at MLLW (except for vessels that have through-the-hull discharge points). A pre-operational check of the outfall lines shall be performed at the beginning of each processing season to ensure that the outfall line is operable and extends at least three feet below the sea surface. Logs of this check are to be kept on-board the vessel. Any failure of the outfall lines are to be reported to EPA in accordance of Part VII.C and summarized in the annual report.

There shall be no discharge if the outfall line(s) is severed, fails, leaks, or is displaced.

- g. Sanitary wastes. A permittee shall route all sanitary wastes through a sanitary waste system that meets the applicable Coast Guard pollution control standards then in effect [33 CFR Part 159: "Marine sanitation devices"]. Nonfunctioning and undersized systems are prohibited.
- h. Other wastewaters. A permittee shall not discharge any other such wastewaters that contain foam, floating solids, grease, or oily wastes which produce a sheen on the water surface, nor wastes which deposit residues which accumulate on the shoreline or sea floor. The incidental foam and scum produced by discharge of seafood transfer water must be minimized to the extent practicable as described in the best management practices plan of Part VI.A. Wastewaters which have not had contact with seafood process wastes are not required to be discharged through the seafood process waste-handling system.
- i. State water quality standards [18 AAC Part 70]. Discharges shall not violate Alaska Water Quality Standards for floating or suspended residues, dissolved oxygen, oil and grease, fecal coliform, pH, temperature, color, turbidity, and total residual chlorine **beyond the 100 ft. mixing zone.**
- j. Additional wastes. A permittee is reminded of the requirement that vessels comply with 33 CFR Part 151 ("Vessels carrying oil, noxious liquid substances, garbage, municipal or commercial wastes, and ballast water").

- k. Monitoring. A permittee shall monitor its processing and discharges to the extent necessary to develop and submit a timely and accurate annual report.

2. Best management practices requirements

During the term of this Permit all permittees shall operate in accordance with a Best Management Practices Plan as described in Part VI.A below.

3. Annual requirements

During the term of this Permit all permittees shall prepare and submit an accurate and timely annual report of noncompliance, production, discharges and process changes as described in Part VI.B below.

**B. Near-shore seafood processors**

(a processor operating and discharging from one (1) to one half (0.5) nautical mile from shore at MLLW)

1. Effluent limitations and requirements

- a. Amount of seafood process wastes. A permittee shall not discharge a volume or weight of seafood process wastes on a daily or annual basis which exceeds the amount reported in the permittee's NOI. **In no case shall a permittee discharge a waste load of more than ten (10) million pounds per year of settleable solid processing waste residues within one (1) nautical mile of the shore as defined by MLLW.**
- b. Treatment and limitation of seafood process wastes. A permittee shall route all seafood process wastes through a waste-handling system. The waste solids discharged from the end of pipe shall not exceed one half (0.5) inch in any dimension.
- c. Scupper and floor drain wastes. A permittee shall route all seafood process wastes from scuppers and floor drains through a waste-handling system. The waste solids discharged from the end of pipe shall not exceed one half (0.5) inch in any dimension.
- d. **Waste-handling system. A permittee shall conduct a daily visual inspection of the waste-handling system, including a close observation**

of the sump or other place of observation for, ~~and removal of~~, gloves, earplugs, rubber bands, other equipment used processing seafood that may inadvertently be discharged through the outfall. Discharge of such items is prohibited. Logs of this daily inspection are to be kept on-board the vessel. Summaries of any equipment found and removed shall be submitted with the annual report.

- e. **Grinder system.** A permittee shall conduct a daily inspection of the grinder system during the processing season to confirm that the grinder(s) are grinding the seafood wastes to no larger than 0.5 inch in any dimension. Logs of this daily inspection are to be kept on-board the vessel. Failure of the 0.5 inch grinding size is to be reported to EPA in accordance of Part VII.C and summarized in the annual report.
- f. **Outfall system.** A permittee shall discharge seafood processing wastes at least three feet below the sea surface at MLLW (except for vessels that have through-the-hull discharge points). A pre-operational check of the outfall lines shall be performed at the beginning of each processing season to ensure that the outfall line is operable and extends at least three feet below the sea surface. Logs of this check are to be kept on-board the vessel. Any failure of the outfall lines are to be reported to EPA in accordance of Part VII C and summarized in the annual report. There shall be no discharge if the outfall lines are severed, fail, leak, or are displaced.
- g. **Sanitary wastes.** A permittee shall route all sanitary wastes through a sanitary waste system that meets the applicable Coast Guard pollution control standards then in effect [33 CFR Part 159: "Marine sanitation devices"]. Nonfunctioning and undersized systems are prohibited.
- h. **Other wastewaters.** A permittee shall not discharge any other such wastewaters that contain foam, floating solids, grease, or oily wastes which produce a sheen on the water surface, nor wastes which deposit residues which accumulate on the shoreline or sea floor. The incidental foam and scum produced by discharge of seafood transfer water must be minimized to the extent practicable as described in the best management practices plan of Part VI.A Wastewaters which have not had contact with seafood process wastes are not required to be discharged through the process waste-handling system.
- i. **Residues.** A permittee shall not discharge seafood sludge, deposits, debris, scum, floating solids, oily wastes or foam which alone or in combination with other substances



- (1) make the water unfit or unsafe for use in aquaculture, water supply, recreation, growth and propagation of fish, shellfish, aquatic life and wildlife, or the harvesting and consumption of raw mollusks or other raw aquatic life;
    - (2) cause a leaching of deleterious substances;
    - (3) cause a film, sheen, emulsion or scum on the surface of the water;
    - (4) cause a scum, emulsion, sludge or solid to be deposited on the adjoining shorelines; or
    - (5) cause a scum, emulsion, sludge or solid to be deposited on the bottom.
  - j. State water quality standards [18 AAC Part 70]. Discharges shall not violate Alaska Water Quality Standards for floating or suspended residues, dissolved oxygen, oil and grease, fecal coliform, pH, temperature, color, turbidity, and total residual chlorine beyond the 100 ft mixing zone. Discharges shall not violate Alaska Water Quality Standards for settleable solid residues beyond a one (1) acre zone of deposit.
  - k. Discharge pipe location. A permittee shall discharge its wastewaters at a point at least three (3) feet below the sea surface.
  - l. Additional wastes. A permittee is reminded of the requirement that vessels comply with 33 CFR Part 151 ("Vessels carrying oil, noxious liquid substances, garbage, municipal or commercial wastes, and ballast water").
  - m. Monitoring. A permittee shall monitor its processing and discharges to the extent necessary to develop and submit a timely and accurate annual report and to detect and minimize occurrences of noncompliance.
2. Best management practices requirements

During the term of this Permit all permittees shall operate in accordance with a Best Management Practices Plan as described in Part VI.A below.
  3. Annual reporting requirements

During the term of this Permit all permittees shall prepare and submit an accurate and timely annual report of noncompliance, production, discharges and process changes as described in Part VI.B below.

4. Seafloor Monitoring requirements

During the term of this Permit all permittees classified as near-shore floating seafood processors and discharging to receiving waters of depths of less than twenty (20) fathoms at a fixed position for more than seven (7) days within a reporting year shall conduct a seafloor monitoring program as described in Part VI.C below. A "fixed position" refers to a circular anchorage area of radius equal to **or less than** one quarter (0.25) nautical mile.

5. Sea surface and shoreline monitoring requirements

During the term of this Permit all permittees classified as near-shore floating seafood processors shall conduct a daily sea surface and a weekly shoreline monitoring program as described below in Part VI.D below.

**C. Shore-based seafood processors**

(a floating or on-shore processor operating and discharging less than one half (0.5) nautical mile from shore at MLLW)

1. Effluent limitations and requirements

- a. Amount of seafood process wastes. A permittee shall not discharge a volume or weight of seafood process wastes on a daily or annual basis which exceeds that reported in the permittee's Notice of Intent to be covered under this Permit. **In no case shall a permittee discharge a waste load of more than ten (10) million pounds per year of settleable solid processing waste residues within one (1) nautical mile of the shore as defined by MLLW.**
- b. Treatment and limitation of seafood process wastes. A permittee shall route all seafood process wastes through a waste-handling system. The waste solids discharged from the end of pipe shall not exceed one half (0.5) inch in any dimension.
- c. Scupper and floor drain wastes. A permittee shall route all seafood process wastes from scuppers and floor drains through a waste-handling system. The waste solids discharged from the end of pipe shall not exceed one half (0.5) inch in any dimension.

- d. **Waste-handling system.** A permittee shall conduct a daily visual inspection of the waste-handling system, including a close observation of the sump or other place of observation for, and removal of, gloves, earplugs, rubber bands, other equipment used processing seafood that may inadvertently be discharged through the outfall. Discharge of such items is prohibited. Logs of this daily inspection are to be kept at the facility. Summaries of any equipment found and removed shall be submitted with the annual report.
- e. **Grinder system.** A permittee shall conduct a daily inspection of the grinder system daily during the processing season to confirm that the grinder(s) are grinding the seafood wastes to no larger than 0.5 inch in any dimension. Logs of this daily inspection are to be kept at the facility. Failure of the 0.5 inch grinding size is to be reported to EPA in accordance of Part VII.C and summarized in the annual report.
- f. **Outfall system.** There shall be no discharge if the outfall lines are severed, fail, leak, or are displaced from designed specifications or location.
- g. **Sanitary wastes.** A permittee shall route all sanitary wastes through a sanitary waste treatment system. Nonfunctioning and undersized systems are prohibited. Sanitary wastes must be either:
  - (1) Discharged to a shore-based septic system or a municipal wastewater treatment system,
  - (2) Treated prior to discharge to meet the secondary treatment limitations for biochemical oxygen demands (BOD<sub>5</sub>) and total suspended solids (TSS) of 60 mg/l daily maximum, 45 mg/l weekly average, and 30 mg/l monthly average, or,
  - (3) If a USGC-licensed vessel, treated prior to discharge by a sanitary waste system that meets the applicable Coast Guard pollution control standards then in effect [33 CFR Part 159: "Marine sanitation devices"].
- h. **Other wastewaters.** A permittee shall not discharge any other such wastewaters that contain foam, floating solids, grease, or oily wastes which produce a sheen on the water surface, nor wastes which deposit residues which accumulate on the shoreline or sea floor. The incidental foam and scum produced by discharge of seafood transfer water must be minimized to the extent practicable as described in the best management practices plan of Part VI.A Wastewaters which have not

had contact with seafood process wastes are not required to be discharged through the process waste-handling system.

- i. Residues. A permittee shall not discharge seafood sludge, deposits, debris, scum, floating solids, oily wastes or foam which alone or in combination with other substances
  - (1) make the water unfit or unsafe for use in aquaculture, water supply, recreation, growth and propagation of fish, shellfish, aquatic life and wildlife, or the harvesting and consumption of raw mollusks or other raw aquatic life;
  - (2) cause a leaching of deleterious substances;
  - (3) cause a film, sheen, emulsion or scum on the surface of the water;
  - (4) cause a scum, emulsion, sludge or solid to be deposited on the adjoining shorelines; or
  - (5) cause a scum, emulsion, sludge or solid to be deposited on the bottom.
- j. State water quality standards [18 AAC Part 70]. Discharges shall not violate Alaska Water Quality Standards for floating or suspended residues, dissolved oxygen, oil and grease, fecal coliform, pH, temperature, color, turbidity, and total residual chlorine beyond the mixing zone. For the purposes of shore-based seafood processors, the mixing zone shall be measured as one hundred (100) feet radius from the point of discharge. Discharges shall not violate Alaska Water Quality Standards for settleable solid residues beyond a one (1) acre zone of deposit.
- k. Discharge pipe location. A permittee discharging to marine water shall discharge its wastewaters at a point at least ten (10) feet below the surface of the receiving water. A permittee discharging to fresh water shall discharge its wastewaters at least three (3) feet below the surface of the receiving water. An applicant may request a waiver to this condition by providing a description of the circumstances which make this condition onerous and unnecessary to the protection of State water quality standards.
- l. Monitoring. A permittee shall monitor its processing and discharges to the extent necessary to develop and submit a timely and accurate annual report and to detect and minimize occurrences of noncompliance.

2. Best management practices requirements

During the term of this Permit all permittees shall operate in accordance with a Best Management Practices (BMP) Plan as described in Part VI.A below.

3. Annual reporting requirements

During the term of this Permit all permittees shall prepare and submit an accurate and timely annual report of noncompliance, production, discharges and process changes as described in Part VI.B below.

4. Seafloor monitoring requirements

During the term of this Permit all permittees classified as shore-based seafood processors and discharging to receiving waters of depths of less than twenty (20) fathoms at a fixed position for more than seven (7) days within a reporting year shall conduct a seafloor monitoring program as described in Part VI.C below.

5. Sea surface and shoreline monitoring requirements

During the term of this Permit all permittees classified as shore-based seafood processors shall conduct a daily sea surface and daily shoreline monitoring program as described below in Part VI.D below.

## VI. SPECIFIC WASTE MINIMIZATION AND MONITORING REQUIREMENTS

### A. Best management practices plan

1. Applicability. During the term of this Permit all permittees shall operate in accordance with a Best Management Practices (BMP) Plan.
2. Implementation. A new permittee shall develop and implement a BMP Plan within **six (6)** months of the date of that permittee's authorization to discharge under this Permit. **A continuing permittee shall review the BMP Plan and resubmit certification with the NOI that the BMP Plan has been reviewed and revised as needed.**
3. Purpose. Through implementation of a BMP Plan a permittee shall prevent or minimize the generation and discharge of wastes and pollutants from the

facility to the waters of the United States. Pollution should be prevented or reduced at the source or recycled in an environmentally safe manner whenever feasible. Disposal of wastes into the environment should be conducted in such a way as to have a minimal environmental impact.

4. Objectives. A permittee shall develop its BMP Plan consistent with the following objectives.
  - a. The number and quantity of ~~wastes and~~ pollutants ~~and the toxicity of effluent generated, discharged, or potentially discharged at the facility~~ shall be minimized by a permittee to the extent feasible by managing each effluent waste stream in the most appropriate manner.
  - b. ~~Under the BMP plan and~~ Any Standard Operating Procedures (SOPs) ~~included in the plan, the permittee~~ shall ensure proper operation and maintenance of the facility.
  - c. Evaluations for the control of wastes and pollutants shall include the following.
    - (1) Each facility component or system shall be examined for its waste minimization opportunities and its potential for causing a release of significant amounts of pollutants to receiving waters due to the failure or improper operation of equipment. The examination shall include all normal operations, including raw material and product storage areas, in-plant conveyance of product, processing and product handling areas, loading or unloading operations, spillage or leaks from the processing floor and dock, and sludge and waste disposal.
    - (2) Equipment shall be examined for potential failure and any resulting overflow of wastes and pollutants to receiving waters. Provision should be made for emergency measures to be taken in such an event.
5. Requirements. The BMP Plan shall be consistent with the purpose and objectives in Parts VI.B.3-4 above.
  - a. ~~The BMP plan shall be consistent with the general guidance contained in the publication entitled "Guidance Manual for Developing Best Management Practices," USEPA 1993, or its subsequent revisions.~~

- b. The BMP Plan shall be documented in narrative form, shall include any necessary plot plans, drawings or maps, and shall be developed in accordance with good engineering practices. The BMP Plan shall be organized and written with the following structure:
  - (1) Name and location of the facility;
  - (2) Statement of BMP policy;
  - (3) Materials accounting of the inputs, processes and outputs of the facility;
  - (4) Risk identification and assessment of pollutant discharges;
  - (5) Specific management practices and standard operating procedures to achieve the above objectives, including, but not limited to,
    - (a) the modification of equipment, facilities, technology, processes and procedures, and
    - (b) the improvement in management, inventory control, materials handling or general operational phases of the facility;
  - (6) Good housekeeping;
  - (7) Preventative maintenance;
  - (8) Inspections and records; and
  - (9) Employee training.
- c. The BMP Plan shall include the following provisions concerning its review:
  - (1) Be reviewed by the facility manager and appropriate staff; and
  - (2) Include a statement that the above review has been completed and that the BMP Plan fulfills the requirements set forth in this Permit. The statement shall be certified by the dated signature of the facility manager.

- d. Documentation. A new permittee shall submit to EPA written certification, signed by a principal officer or a duly appointed representative of the permittee, of the completion and implementation of its BMP Plan. A continuing permittee shall review the BMP Plan and resubmit certification that the BMP Plan has been reviewed and revised as needed with its NOI and within 60 days of the effective date of this Permit. The resubmittal shall describe all changes made to the BMP Plan. All permittees shall maintain a copy of its BMP Plan at its facility or on-board the vessel and shall make the plan available to EPA or ADEC upon request. All offices of a permittee which are required to maintain a copy of this Permit shall also maintain a copy of the BMP Plan.
6. BMP Plan modification. A permittee shall amend the BMP Plan whenever there is a change in the facility or in the operation of the facility which materially increases the generation of pollutants and their release or potential release to the receiving waters. A permittee shall also amend the Plan, as appropriate, when facility operations covered by the BMP Plan change. Any such changes to the BMP Plan shall be consistent with the objectives and specific requirements listed above. All changes in the BMP Plan shall be reviewed by the facility manager.
7. Modification for ineffectiveness. At any time, if a BMP Plan proves to be ineffective in achieving the general objective of preventing and minimizing the generation of pollutants and their release and potential release to the receiving waters and/or the specific requirements above, this Permit and/or the BMP Plan shall be subject to modification to incorporate revised BMP requirements.

#### **B. Annual report**

1. Applicability. During the term of this Permit all permittees shall prepare and submit a complete, accurate and timely annual report of noncompliance, production, discharges and process changes to EPA and ADEC.

In compliance with the Paperwork Reduction Act, 44 U.S.C. § 3501 *et seq.* the Office of Management and Budget has approved the information in an annual report for compliance assessment (OMB No. 2040-0110).

2. Purpose and objectives. The annual report serves to inform the regulatory agencies of the use and potential degradation of public water resources by facilities discharging pollutants to these receiving waters under this Permit. The permittee shall provide the following information.



- a. Verification of the permittee's NPDES Permit number, facility owner, facility operator, name of the facility or vessel, mailing address, telephone number and facsimile number.
  - b. A summary of periods of noncompliance with any of the requirements of this Permit between January 1st through December 31st of the previous year, the reasons for such noncompliance, the steps taken to correct the problem and prevent further occurrences.
  - c. A summary of information of production and discharge during the previous year, including
    - (1) Dates of operation by month,
    - (2) Type and amount (lbs) of raw product per month,
    - (3) Type and amount (lbs) of finished product per month,
    - (4) Type and amount (lbs) of discharged residues per month, and
    - (5) Location of discharge (name of receiving water(s)). If a floating processor operating and discharging within three miles of shore for a continuous 24-hour period or more, the name of the receiving water(s) and the latitude and longitude, the date and the depth of the discharge location(s).
  - d. A statement of any changes to a permittee's Notice of Intent to be covered under this Permit (especially process changes, locations and production levels).
3. Signatory requirements. A permittee shall ensure that the annual report is signed by a principal officer or a duly appointed representative of the permittee.
  4. Submittal. A permittee shall submit its annual report by January 31st of the year following each year of operation and discharge under this Permit. A permittee shall submit its original annual report to:

U.S. Environmental Protection Agency Region 10  
NPDES Compliance Unit (OW-133)  
1200 Sixth Avenue  
Seattle, Washington 98101

and, a copy to:

Alaska Department of Environmental Conservation  
Attention: Air and Water Quality Division  
P.O. Box 1709  
Valdez, Alaska 99686.

**C. Seafloor monitoring requirements**

1. Applicability. During the term of this Permit all permittees classified as shore-based or near-shore seafood processors and discharging to receiving waters of depths of less than twenty (20) fathoms at a fixed position for more than seven (7) days shall conduct a seafloor monitoring program. A "fixed position" refers to a circular anchorage area of radius equal to one quarter (0.25) nautical mile.
2. Purpose. A permittee shall conduct a seafloor monitoring program to determine compliance with the Alaska water quality standards for settleable residues in marine waters. Alaska Administrative Code Part 18 § 70.020 states that "(settleable residues) shall not... cause a sludge, solid, or emulsion to be deposited... on the bottom." ADEC has authorized a zone of deposit of up to a maximum area of one (1) acre for facilities permitted under this Permit in accordance with 18 AAC § 70.
3. Objective. The seafloor monitoring program shall determine the areal extent (in square feet) of the continuous deposit of sludge, solid or emulsion, any of which is one-half inch or thicker, on the bottom that persists throughout the year.
  - a. Monitoring shall provide an accurate estimate of the area of the discharge waste pile of settleable residues which persists throughout the year. It is recommended that such persistence can be determined by surveying the waste pile generated during the previous year prior to the recommencement of discharge.
  - b. Monitoring shall provide a determination of the outer boundary of the area of the discharge waste pile. It is recommended that such precision will require a visual, photographic or video assessment.
4. Schedule. A permittee shall develop and implement a monitoring program to survey the area of its discharge waste pile during the first full year of coverage of its facility under this Permit.

5. Tiered monitoring. The monitoring program shall be tiered in levels of increasing complexity which are determined by the area of the discharge waste pile as assessed in previous seafloor monitoring surveys.
  - a. Tier one survey. A permittee shall ~~conduct develop and implement~~ a monitoring program to survey the area of its discharge waste pile by ~~December 2001~~ during the first full year and the of the facility's coverage under this Permit.

If a permittee has relocated its discharge pipe during the preceding year of operation and discharge, has added a new production line, or has increased production over the production of the year of the previous seafloor monitoring survey by more than 25%, then a permittee shall ~~conduct develop and implement~~ another tier one survey ~~a monitoring program to survey~~ of the area of its discharge waste pile during the current year ~~following~~ of the facility's changes or increases. ~~coverage under this Permit.~~

The tier one bottom survey shall be conducted along two transects. The principal transect shall be oriented along the maximum horizontal dimension of the waste pile ("the length"). The second transect ("the width") shall be perpendicular to the principal transect, and shall cross it at the point where the waste pile is widest in that direction. The survey shall record and report the measurements of the distances of each transect under which any continuous part of the waste pile occurs.

(Tier 1 Figure)

- b. Tier two survey. If a permittee has concluded from its seafloor monitoring survey conducted prior to **December 2001** ~~during the first full year of coverage under this Permit~~ that its waste pile is greater than one half of an acre in size (21,780 sq. ft.) and less than three quarters of an acre in size (32,670 sq. ft.), then a permittee shall **conduct** ~~develop and implement~~ a tier two survey ~~monitoring program to survey the area~~ of its discharge waste pile prior to **December 2002** ~~during the following year second full year of coverage under this Permit to current year of its facility's coverage under this Permit.~~

The tier two bottom survey shall be conducted along four transects. The principal transect shall be oriented along the maximum horizontal dimension of the waste pile ("the length"). The second transect ("the width") shall be perpendicular to the principal transect, and shall cross it at the point where the waste pile is widest in that direction. The remaining two transects shall pass through the point where the first two transects intersect, and shall be at 45 degree angles to the first two transects. The survey shall record and report the measurements of the distances of each transect under which any continuous part of the waste pile occurs.

(Tier 2 Figure)

- c. Tier three survey. If a permittee has determined in its seafloor monitoring program of the last previous year of operation and discharge that its waste pile is equal to or greater than three quarters of an acre in size (32,670 sq. ft.), then a permittee shall ~~conduct a develop and implement a monitoring program to~~ **conduct a tier three survey of the area of its discharge waste pile each year of the Permit or until the waste pile is less than three quarters of an acre in size** ~~during the current year of its facility's coverage under this Permit.~~

The tier three bottom survey shall be conducted along four transects. The principal transect shall be oriented along the maximum horizontal dimension of the waste pile ("the length"). The second transect ("the width") shall be perpendicular to the principal transect, and shall cross it at the point where the waste pile is widest in that direction. The remaining two transects shall pass through the point where the first two transects intersect, and shall be at 45 degree angles to the first two transects. The survey shall include measurements of the distances from the point where the transects intersect to the edge of the waste pile at each end of each transect. The survey shall also include measurements of the thickness of the waste pile at the point where the transects intersect, and at the eight points that are half way between the intersection point and the edge of the waste pile at each end of each transect.

(Tier Figure 3)



6. Monitoring report. A permittee shall submit a brief report of the seafloor monitoring survey which describes the methods and results of the survey. The description of the methods shall include at least the name, address and phone number of the surveyor, the date of the survey and the observational method and equipment used in the survey. The description of the results shall include at least the required dimensions and estimated area of the waste pile and a map of the configuration of the waste pile in relation to the discharge pipe and the bathymetry of the seafloor. The area of the wastepile may be calculated by treating it as the sum of the areas of two parabolas which are joined at a common base (the "width") and which have heights that together equal the "length" of the waste pile. An approximation of the area of the waste pile is provided by the equation

$$\text{Area} = (\text{width} \times \text{length}) \times (2/3)$$

A permittee shall submit a report of the monitoring program to EPA and ADEC on or before January 31st of the year following the survey. It is recommended that this report be submitted with the Annual Report.

7. Signatory requirements. A permittee shall ensure that the monitoring report is signed by a principal officer or a duly appointed representative of the permittee.
8. Modification of monitoring program. The monitoring program may be modified if EPA and ADEC determine that it is appropriate. A modification may be requested by a permittee. The modified program may include changes in survey (1) stations, (2) times, (3) parameters or (4) methods.
9. Request for a waiver. A permittee may request a waiver of the seafloor monitoring requirements. A request for a waiver must provide a detailed description of the circumstances supporting a waiver of monitoring and a demonstration that the discharge meets the Alaska water quality standard for settleable solid residues.
10. Requirement to apply for an individual permit. EPA, in consultation with ADEC, may require a permittee to apply for an individual NPDES Permit if the seafloor monitoring program indicates a probable violation of the Alaska water quality standards for settleable residues in marine waters.

**D. Sea surface and shoreline monitoring requirements**

1. Applicability. During the term of this Permit all permittees classified as shore-based or near-shore seafood processors and discharging within one (1) nautical mile of shore at MLLW shall conduct a sea surface and shoreline monitoring program.
2. Purpose. A permittee shall conduct a sea surface and shoreline monitoring program to determine compliance with the Alaska water quality standards for floating residues in marine waters. Alaska Administrative Code Part 18 § 70.020 states that "(floating solids, debris, foam and scum) shall not... cause a film, sheen, or discoloration on the surface of the water... or cause a sludge, solid, or emulsion to be deposited... upon adjoining shorelines."
3. Objectives. The sea surface and shoreline monitoring program will provide periodic assessments as defined in the above categories of operation during periods of operation and discharge. The monitoring of the sea surface shall record the incidence of occurrence and estimate the areal extent of contiguous films, sheens, or mats of foam within a three hundred (300) foot radius of the end of the outfall(s) and, in the case of shore-based facilities, within a one hundred foot distance of the seaward physical boundary of the facility (e.g., docks and piers). The monitoring of the shoreline shall record the total number of days for which observations were made and the incidence of occurrence and estimated areal extent of deposits of seafood waste sludge, solids, or emulsions upon the adjacent shorelines.
  - a. Monitoring shall provide an accurate identification of the occurrence of these pollutants on the surface of the water or upon the shoreline.
  - b. Monitoring shall estimate the area(s) of occurrence of these pollutants with a precision of  $\pm 25\%$ .
4. Schedule. A permittee shall conduct a sea surface and shoreline monitoring program during each year of coverage under the permit.
5. Monitoring report. A permittee shall submit a brief report of the monitoring survey which describes the methods and results of the survey. The description of the methods shall include at least the name, address and phone number of the surveyor(s), the observational method and equipment used in the survey, and the point(s) of observation. The report of positive observations shall include the date and time of observation, an estimate of the area of scum, sheen, film or foam on the sea surface, and/or the area of sludge, solids, emulsion or scum deposited on the shoreline.

A permittee shall submit the report to EPA and ADEC on or before January 31st of the year following the survey. It is recommended that this report be submitted with the annual report of production and effluent monitoring.

6. Signatory requirements. A permittee shall ensure that the monitoring report is signed by a principal officer or a duly appointed representative of the permittee.
7. Modification of monitoring program. The monitoring program may be modified if EPA and ADEC determine that it is appropriate. A modification may be requested by a permittee. The modified program may include changes in survey (1) stations, (2) times or (3) parameters.
8. Request for a waiver. A permittee may request a waiver of the sea surface and shoreline monitoring requirements. A request for a waiver must provide a detailed description of the circumstances supporting a waiver of monitoring and a demonstration that the discharge meets the Alaska water quality standard for residues. Individual monitoring days may be waived due to conditions (e.g., weather or sea state) which make this monitoring hazardous to human health and safety.
9. Requirement to apply for an individual permit. EPA, in consultation with ADEC, may require a permittee to apply for an individual NPDES Permit if the sea surface and shoreline monitoring program indicates a probable violation of the Alaska water quality standards for residues in marine waters.

## VII. RECORDING AND REPORTING REQUIREMENTS

**A. Records contents.** All effluent monitoring records shall bear the hand-written signature of the person who prepared them. In addition, all records of monitoring information shall include:

1. the date, exact place, and time of sampling or measurements;
2. the names of the individual(s) who performed the sampling or measurements;
3. the date(s) analyses were performed;
4. the names of the individual(s) who performed the analyses;
5. the analytical techniques or methods used; and

6. the results of such analyses.

**B. Retention of records.** A permittee shall retain records of all monitoring information, including but not limited to, all calibration and maintenance records, copies of all reports required by this Permit, a copy of the NPDES Permit, and records of all data used to complete the application for this Permit, for a period of at least five years from the date of the sample, measurement, report or application, or for the term of this Permit, whichever is longer. This period may be extended by request of the Director or ADEC at any time.

**C. Twenty-four hour notice of noncompliance reporting.**

1. A permittee shall report the following occurrences of noncompliance by telephone (206-553-1846) within 24 hours from the time a permittee becomes aware of the circumstances:
  - a. any discharge(s) to the receiving waters not authorized for coverage under this Permit including, but not limited to, waters described in Part III above or listed in Appendix I below;
  - b. any noncompliance that may endanger health or the environment;
  - c. any unanticipated bypass that results in or contributes to an exceedance of any effluent limitation in this Permit;
  - d. any upset that results in or contributes to an exceedance of any effluent limitation in this Permit; or
  - e. any violation of a maximum daily discharge limitation for any of the pollutants listed in this Permit.
2. A permittee shall also provide a written submission within five days of the time that a permittee becomes aware of any event required to be reported under subpart 1 above. The written submission shall contain:
  - a. a description of the noncompliance and its cause;
  - b. the period of noncompliance, including exact dates and times;
  - c. the estimated time noncompliance is expected to continue if it has not been corrected; and

- d. steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.
  3. The Director may, at his sole discretion, waive the written report on a case-by-case basis if the oral report has been received within 24 hours by the NPDES Compliance in Seattle, Washington, by telephone, (206) 553-1846.
  4. Reports shall be submitted to the addresses in Part VI.B of this Permit.
- D. Other noncompliance reporting.** A permittee shall report all instances of noncompliance, not required to be reported within 24 hours, with the annual report.

## VIII. COMPLIANCE RESPONSIBILITIES

- A. Duty to comply.** A permittee shall comply with all conditions of this Permit. Any Permit noncompliance constitutes a violation of the Act and is grounds for enforcement action, for Permit termination, revocation and reissuance, or modification, or for denial of a Permit renewal application. A permittee shall give reasonable advance notice to the Director and ADEC of any planned changes in the permitted facility or activity that may result in noncompliance with Permit requirements.
- B. Penalties for violations of Permit conditions.**
1. Civil and administrative penalties. **Any person who negligently violates a permit condition implementing CWA § 301, 302, 306, 307, 308, 318, or 405 shall be subject to a civil or administrative penalty, not to exceed the maximum amounts authorized in Sections 309(d) and 309(g) of the Act and the Federal Civil Penalties Inflation Adjustment Act 28 U.S.C. § 2461 note) as amended by the Debt Collection Improvement Act (31 U.S.C. § 3701 note).**
  2. Criminal penalties:
    - a. Negligent violations. Section 309(c)(1) of the Act provides that any person who negligently violates a Permit condition implementing CWA § 301, 302, 306, 307, 308, 318, or 405 shall be punished by a fine of not less than \$2,500 nor more than \$25,000 per day of violation, or by imprisonment for not more than 1 year, or by both.
    - b. Knowing violations. Section 309(c)(2) of the Act provides that any person who knowingly violates a Permit condition implementing CWA § 301,

302, 306, 307, 308, 318, or 405 shall be punished by a fine of not less than \$5,000 nor more than \$50,000 per day of violation, or by imprisonment for not more than 3 years, or by both.

- c. **Knowing endangerment.** Section 309(c)(3) of the Act provides that any person who knowingly violates a Permit condition implementing CWA § 301, 302, 303, 306, 307, 308, 318, or 405, and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury, shall, upon conviction, be subject to a fine of not more than \$250,000 or imprisonment of not more than 15 years, or both. A person that is an organization shall be subject to a fine of not more than \$1,000,000.
- d. **False statements.** Section 309(c)(4) of the Act provides that any person who knowingly makes any false material statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under this Act or who knowingly falsifies, tampers with, or renders inaccurate any monitoring device or method required to be maintained under this Act, shall be punished by a fine of not more than \$10,000, or by imprisonment for not more than 2 years, or by both.

Except as provided in Permit conditions in Part VIII.F ("Bypass of Treatment Facilities") and Part VIII.G, ("Upset Conditions"), nothing in this Permit shall be construed to relieve a permittee of the civil or criminal penalties for noncompliance.

- C. Need to halt or reduce activity not a defense.** It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this Permit.
- D. Duty to mitigate.** A permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this Permit that has a reasonable likelihood of adversely affecting human health or the environment.
- E. Proper operation and maintenance.** A permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by a permittee to achieve compliance with the conditions of this Permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities

or similar systems only when the operation is necessary to achieve compliance with the conditions of this Permit.

**F. Bypass of treatment facilities.**

1. Bypass not exceeding limitations. A permittee may allow any bypass to occur that does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs 2 and 3 of this Part.
2. Notice.
  - a. Anticipated bypass. If a permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least 10 days before the date of the bypass.
  - b. Unanticipated bypass. A permittee shall submit notice of an unanticipated bypass as required under Part VII.F ("Twenty-four hour notice of noncompliance reporting").
3. Prohibition of bypass.
  - a. Bypass is prohibited, and the Director or ADEC may take enforcement action against a permittee for a bypass, unless:
    - (1) The bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
    - (2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment shall have been installed in the exercise of reasonable engineering judgment to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance; and
    - (3) A permittee submitted notices as required under paragraph 2 of this Part.
  - b. The Director and ADEC may approve an anticipated bypass, after considering its adverse effects, if the Director and ADEC determine that it will meet the three conditions listed above in paragraph 3.a of this Part.

**G. Upset conditions.**

1. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based Permit effluent limitations if a permittee meets the requirements of paragraph 2 of this Part. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.
2. Conditions necessary for a demonstration of upset. To establish the affirmative defense of upset, a permittee shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
  - a. An upset occurred and that a permittee can identify the cause(s) of the upset;
  - b. The permitted facility was at the time being properly operated;
  - c. A permittee submitted notice of the upset as required under Part VII.F ("Twenty-four hour notice of noncompliance reporting) and
  - d. A permittee complied with any remedial measures required under Part VIII.D ("Duty to Mitigate").
3. Burden of proof. In any enforcement proceeding, a permittee seeking to establish the occurrence of an upset has the burden of proof.

**H. Planned changes.** A permittee shall give notice to the Director and ADEC as soon as possible of any planned physical alterations or additions to the permitted facility whenever:

1. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source as determined in 40 CFR § 122.29(b); or
2. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants that are not subject to effluent limitations in this Permit.

A permittee shall give notice to the Director and ADEC as soon as possible of any planned changes in process or chemical use whenever such change could significantly change the nature or increase the quantity of pollutants discharged.



- I. **Anticipated noncompliance.** A permittee shall also give advance notice to the Director and ADEC of any planned changes in the permitted facility or activity that may result in noncompliance with this Permit.

## IX. GENERAL PROVISIONS

- A. **Permit actions.** This Permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by a permittee for a Permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any Permit condition.
- B. **Duty to reapply.** If a permittee intends to continue an activity regulated by this Permit after the expiration date of this Permit, a permittee must apply for and obtain a new permit. The application shall be submitted at least 60 days before the expiration date of this Permit.
- C. **Duty to provide information.** A permittee shall furnish to the Director and ADEC, within the time specified in the request, any information that the Director or ADEC may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Permit, or to determine compliance with this Permit. A permittee shall also furnish to the Director or ADEC, upon request, copies of records required to be kept by this Permit.
- D. **Incorrect information and omissions.** When a permittee becomes aware that it failed to submit any relevant facts in a Permit application, or that it submitted incorrect information in a Permit application or any report to the Director or ADEC, it shall promptly submit the omitted facts or corrected information.
- E. **Signatory requirements.** All applications, reports or information submitted to the Director and ADEC shall be signed and certified.
  1. All Permit applications shall be signed as follows:
    - a. For a corporation: by a principal corporate officer.
    - b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively.
    - c. For a municipality, state, federal, or other public agency: by either a principal executive officer or ranking elected official.

2. All reports required by this Permit and other information requested by the Director or ADEC shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:
  - a. The authorization is made in writing by a person described above and submitted to the Director and ADEC, and
  - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.)
3. Changes to authorization. If an authorization under subpart 2 above is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of subpart 2 must be submitted to EPA and ADEC prior to or together with any reports, information, or applications to be signed by an authorized representative.
4. Certification. Any person signing a document under this Part shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

- F. Availability of reports.** Except for data determined to be confidential under 40 CFR § 2, all reports prepared in accordance with this Permit shall be available for public inspection at the offices of the state water pollution control agency and the Director and ADEC. As required by the Act, Permit applications, permits and effluent data shall not be considered confidential.

**G. Inspection and entry.** A permittee shall allow the Director, ADEC, or an authorized representative (including an authorized contractor acting as a representative of the Administrator), upon the presentation of credentials and other documents as may be required by law, to:

1. Enter upon a permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this Permit;
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Permit;
3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Permit; and
4. Sample or monitor at reasonable times, for the purpose of assuring Permit compliance or as otherwise authorized by the Act, any substances or parameters at any location.

**H. Oil and hazardous substance liability.** Nothing in this Permit shall be construed to preclude the institution of any legal action or relieve a permittee from any responsibilities, liabilities, or penalties to which a permittee is or may be subject under Section 311 of the Act.

**I. Property rights.** The issuance of this Permit does not convey any property rights of any sort, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations.

**J. Severability.** The provisions of this Permit are severable. If any provision of this Permit, or the application of any provision of this Permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this Permit, shall not be affected thereby.

**K. Transfers.** This Permit may be automatically transferred to a new permittee if:

1. The current permittee notifies the Director at least 60 days in advance of the proposed transfer date;

2. The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of Permit responsibility, coverage, and liability between them; and
3. The Director does not notify the existing permittee and the proposed new permittee of his or her intent to modify, or revoke and reissue the permit.

If the notice described in subpart 3 above is not received, the transfer is effective on the date specified in the agreement mentioned in subpart 2 above.

**L. State laws.** Nothing in this Permit shall be construed to preclude the institution of any legal action or relieve a permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or regulation under authority preserved by Section 510 of the Act.

**M. Reopener clause.**

1. This Permit shall be modified, or alternatively, revoked and reissued, to comply with any applicable effluent standard or limitation issued or approved under Sections 301(b)(2)(C) and (D), 304(b)(2), and 307(a)(2) of the Act, as amended, if the effluent standard, limitation, or requirement so issued or approved:
  - a. Contains different conditions or is otherwise more stringent than any condition in this Permit; or
  - b. Controls any pollutant or disposal method not addressed in this Permit.

This Permit as modified or reissued under this paragraph shall also contain any other requirements of the Act then applicable.

2. This Permit may be reopened to adjust any effluent limitations if future water quality studies, waste load allocation determinations, or changes in water quality standards show the need for different requirements.

**X. DEFINITIONS and ACRONYMS**

*AAC* means Alaska Administrative Code.

*ADEC* means Alaska Department of Environmental Conservation.

*ADFG* means Alaska Department of Fish and Game.

*BMP* means best management practices.

*Bypass* means the intentional diversion of waste streams from any portion of a treatment facility (see Part IV.G).

*CFR* means the Code of Federal Regulations.

*Cooling water* means once-through non-contact cooling water.

*CWA* means the Clean Water Act.

*Daily discharge* means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the "daily discharge" is calculated as the average measurement of the pollutant over the day.

*Discharge of a pollutant* means any addition of any "pollutant" or combination of pollutants to "waters of the United States" from any "point source".

*Domestic wastes* means materials discharged from showers, sinks, safety showers, eye-wash stations, hand-wash stations, fish-cleaning stations, galleys, and laundries.

*EPA* means the United States Environmental Protection Agency.

*Excluded area* means an area not authorized as a receiving water covered under this general NPDES permit, as described in Part III.A-D above and Appendix I below.

*Fixed position* means to a circular anchorage area of radius equal to one quarter (0.25) nautical mile.

*Garbage* means all kinds of victual, domestic, and operational waste, excluding fresh fish and part thereof, generated during the normal operation and liable to be disposed of continuously or periodically except dishwater, gray water, and those substances that are defined or listed in other Annexes to MARPOL 73/78.

*Gray water* means galley, bath and shower wastewater.

*Marine sanitation device* includes any equipment for installation on board a vessel which is designed to receive, retain, treat, or discharge sewage, or any process to treat such sewage.

*Maximum* means the highest measured discharge or pollutant in a waste stream during the time period of interest.

*MLLW* means mean lower low water.

*mg/l* means milligrams per liter.

*Mixing zone* means the area adjacent to a discharge or activity in the water where a receiving water may not meet all the water quality standards; wastes and water are given an area to mix so that the water quality standards are met at the mixing zone boundaries.

*Monthly average* means the average of *daily discharges* over a monitoring month, calculated as the sum of all *daily discharges* measured during a monitoring month divided by the number of *daily discharges* measured during that month.

*MSD* means marine sanitation device.

*NMFS* means United States National Marine Fisheries Service.

*NOI* means a "Notice of Intent," that is, an application, to be authorized to discharge under a general NPDES permit.

*Pollutant* means dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste discharged into water.

*Sanitary wastes* means human body waste discharged from toilets and urinals.

*Seafood* means the raw material, including freshwater and saltwater fish and shellfish, to be processed, in the form in which it is received at the processing plant.

*Seafood process waste* means the waste fluids, organs, flesh, bones, woody fiber and chitinous shells produced in the conversion of aquatic animals and plants from a raw form to a marketable form.

*Severe property damage* means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

*Sewage* means human body wastes and the wastes from toilets and other receptacles intended to receive or retain body wastes.

*Upset* means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based Permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation (see Part IV.H.).

*U.S.C.* means United States Code.

*USFWS* means United States Fish and Wildlife Service.

*Water depth* means the depth of the water between the surface and the seafloor as measured at mean lower low water (0.0).

*Zone of deposit (ZOD)* means an area of the bottom in marine or estuarine waters in which the Alaska Department of Environmental Conservation has authorized the deposit of substances in exceedence of the water quality criteria of 18 AAC 70.020(b) and the antidegradation requirement of 18 AAC 70.0101(c).

# APPENDIX

## CATEGORICAL LISTING OF AREAS EXCLUDED FROM COVERAGE UNDER GENERAL PERMIT

<u>Excluded Area</u>	<u>Receiving Waters</u>	<u>Location</u>
STATE GAME REFUGES (SGR; <u>see</u> Figure 1)		
Anchorage Coastal SGR	Knik Arm, Turnagain Arm; N Cook Inlet	City of Anchorage
Cape Newenham SGR	Chagvan Bay; S Kuskokwin Bay	South of the City of Good News
Creamer's Field SGR	Isabella River wetlands	City of Fairbanks
Goose Bay SGR	Goose Bay, Knik Arm; N Cook Inlet	North of the City of Anchorage
Izembek SGR	Isembek Lagoon; SE Bristol Bay	NW terminus of the Alaska Peninsula
McNeil River SGR	Paint River and Kamishak Bay	SE base of the Alaska Peninsula
Mendenhall Wetlands SGR	NW Gastineau Channel	City of Juneau
Minto Flats SGR	Tanana River wetlands	West of the City of Fairbanks
Palmer Hay Flats SGR	Knik Arm; N Cook Inlet	NE of the City of Anchorage
Susitna Flats SGR	N Cook Inlet	West of the City of Anchorage
Trading Bay SGR	Gompertz Channel, Trading Bay	SW of the City of Anchorage
Yakataga SGR	Tsiu River delta; N Gulf of Alaska	West of Cape Yakataga
STATE CRITICAL HABITAT AREAS (SCHA; <u>see</u> Figure 1)		
Anchor River-Fritz Creek SCHA	Anchor River and Fritz Creek	East of the City of Anchor Point
Chilkat River SCHA	Chilkat River	North of the City of Haines
Cinder River SCHA	Cinder River delta, E Bristol Bay	SW of the City of Pilot Point
Clam Gulch SCHA	Cook Inlet	South of the City of Kasilof
Copper River Delta SCHA	Copper River delta; N Gulf of Alaska	SE of the City of Cordova
Dude Creek SCHA	Dude Creek, Icy Passage	West of the City of Gustavus
Egegik SCHA	Egegik Bay and E Bristol Bay	West of the City of Egegik
Fox River Flats SCHA	Fox River delta, Kachemak Bay	NE of the City of Homer
Kachemak Bay SCHA	Kachemak Bay	Adjacent to the City of Homer
Kalgin Island SCHA	Swamp Creek wetlands; Cook Inlet	SW Kalgin Is.
Pilot Point SCHA	Ugashik Bay and E Bristol Bay	West of the City of Pilot Point



<u>Excluded Area</u>	<u>Receiving Waters</u>	<u>Location</u>
Port Heiden SCHA Port Moller SCHA Redoubt Bay SCHA Tugidak Island SCHA Willow Mountain SCHA	Port Heiden and E Bristol Bay Port Moller and Nelson Lagoon Big River wetlands, Redoubt Bay; Cook Inlet NW Gulf of Alaska Willow Creek tributaries	North-central Alaska Peninsula City of Port Moller West of the City of Nikiski Trinity Islands, SW of Kodiak Is. NW of the City of Palmer
STATE GAME SANCTUARIES (SGA; <u>see</u> Figure 1)		
McNeil River SGS Stan Price SGS Walrus Islands SGS	Kamishak Bay; NW Cook Inlet Windfall Harbor; Seymour Canal Togiak Bay; N Bristol Bay	SE base of the Alaska Peninsula E Admiralty Is., SE Alaska Walrus Is. (a.k.a. Round Is.), Crooked Is., High Is., Summit Is., Black Rock the Twins
NATIONAL PARKS, PRESERVES AND MONUMENTS		
Admiralty Island Nat'l Monument Aniakchak Nat'l Monument and Preserve Glacier Bay Nat'l Park and Preserve Katmai Nat'l Park and Preserve Kenai Fjords Nat'l Preserve Lake Clark Nat'l Park and Preserve Misty Fjords Nat'l Monument Wrangell-St. Elias Nat'l Park and Preserve	Rivers and coastal waters of national monument Aniakchak Bay, Amber Bay  Glacier Bay, Cross Sound, Dixon Harbor, Palma Bay, Lituya Bay; N Gulf of Alaska Katmai Bay, Kinak Bay, Kukak Bay, Hallow Bay, Kamishak Bay Nuka Bay, Two Arm Bay  Chiratna Bay, Tuxedni Bay  N Icy Bay, W Yakutat Bay; N Gulf of Alaska	Admiralty Island, SE Alaska  South central Alaska Peninsula  North Alexander Archipelago, SE Alaska  S base of Alaska Peninsula  S Kenai Peninsula  N coast of Cook Inlet  Tongass Nat'l Forest, SE Alaska NW of the City of Yakutat
NATIONAL WILDLIFE REFUGES (NWR)		

<u>Excluded Area</u>	<u>Receiving Waters</u>	<u>Location</u>
Alaska Maritime NWR	Bering Sea, N Gulf of Alaska	Aleutian Islands and Pribilof Islands
Alaska Peninsula NWR	S Port Moller and S Herendeen Bay and the coastal waters from NE Cold Bay to Alinchak Bay	Alaska Peninsula
Izembek NWR	Cold Bay, Izembek Lagoon	SW terminus of Alaska Peninsula
Kenai NWR	S Turnagain Arm; N Cook Inlet	Kenai Peninsula
Kodiak NWR	Kiliuda Bay, Sitkalidak Strait, Alitak Bay, Sitkinak Strait,	Kodiak Is., Afognak Is. and Trinity Islands
Olga Bay, Uyak Bay, Uganik Bay;		
Togiak NWR	Ban Bay; W Gulf of Alaska Jacksmith Bay, Goodnews Bay, Chagvan Bay, Hagemeister Strait, Togiak Bay, Kulukak Bay, Nushagak Bay; N Bristol Bay	Surrounding the City of Togiak
Yukon Delta NWR	Scammon Bay, Kokechik Bay, Hooper Bay, Hazen Bay, Baird Inlet; E Bering Sea	Yukon River delta, Kuskokwin River delta, Nunivak Is.
NATIONAL WILDERNESS AREAS (NWA; <u>see</u> Figure 2)		
Chuck River NWA	Rivers and coastal waters of NWA	Tongass Nat'l Forest, SE Alaska
Coronation Island NWA	Rivers and coastal waters of NWA	Tongass Nat'l Forest, SE Alaska
Endicott River NWA	Rivers and coastal waters of NWA	Tongass Nat'l Forest, SE Alaska
Karta NWA	Rivers and coastal waters of NWA	Tongass Nat'l Forest, SE Alaska
Kootznoowoo NWA	Rivers and coastal waters of NWA	Tongass Nat'l Forest, SE Alaska
Kuiu NWA	Rivers and coastal waters of NWA	Tongass Nat'l Forest, SE Alaska
Maurelle Islands NWA	Rivers and coastal waters of NWA	Tongass Nat'l Forest, SE Alaska
Misty Fiords NWA	Rivers and coastal waters of NWA	Tongass Nat'l Forest, SE Alaska
Petersburg Creek NWA	Rivers and coastal waters of NWA	Tongass Nat'l Forest, SE Alaska
Pleasant Islands NWA	Rivers and coastal waters of NWA	Tongass Nat'l Forest, SE Alaska
Russell Fiord NWA	Rivers and coastal waters of NWA	Tongass Nat'l Forest, SE Alaska
South Baranof NWA	Rivers and coastal waters of NWA	Tongass Nat'l Forest, SE Alaska
South Etolin NWA	Rivers and coastal waters of NWA	Tongass Nat'l Forest, SE Alaska

<u>Excluded Area</u>	<u>Receiving Waters</u>	<u>Location</u>
South Prince of Wales NWA	Rivers and coastal waters of NWA	Tongass Nat'l Forest, SE Alaska
Stikine-LeConte NWA	Rivers and coastal waters of NWA	Tongass Nat'l Forest, SE Alaska
Tebenkof Bay NWA	Rivers and coastal waters of NWA	Tongass Nat'l Forest, SE Alaska
Tracy Arm-Fords Terror NWA	Rivers and coastal waters of NWA	Tongass Nat'l Forest, SE Alaska
Warren Island NWA	Rivers and coastal waters of NWA	Tongass Nat'l Forest, SE Alaska
West Chichagof-Yakobi NWA	Rivers and coastal waters of NWA	Tongass Nat'l Forest, SE Alaska

STELLER SEA LION ROOKERIES AND HAUL-OUT AREAS  
(see Figures 3 and 4)  
58 Federal Register 45278

SEA BIRD NESTING AREAS  
(see Figure 5)

#### ALASKA RIVER SEGMENTS DESIGNATED UNDER THE WILD AND SCENIC RIVERS ACT

Alagnak River	Riverine waters	Nushagak-Bristol Bay lowland
Alatna River	Riverine waters	Central Brooks Mountains Range
Aniakchak River	Riverine waters	Aleutian Mountains Range
Charley River	Riverine waters	Yukon-Tanana uplands
Chilikadrotna River	Riverine waters	Central Brooks Mountains Range
John River	Riverine waters	Central Brooks Mountains Range
Kobuk River	Riverine waters	Central Brooks Mountains Range
North Fork Koyukuk River	Riverine waters	Eastern Brooks Mountains Range
Mulchatna River	Riverine waters	Alaska Mountains Range
Noatak River	Riverine waters	Eastern Brooks Mountains Range
Salmon River	Riverine waters	Baird Mountains
Tinayguk River	Riverine waters	Central-eastern Brooks Mountains Range
Tlikakila River	Riverine waters	Southern Alaska Mountains Range

#### IMPAIRED OR WATER QUALITY LIMITED WATERS LISTED BY ADEC IN EITHER ITS CWA §305(b) REPORT OR §303(d) LIST

Akutan Harbor, west	Waters of the bay west of	Akutan Is.
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<u>Excluded Area</u>	<u>Receiving Waters</u>	<u>Location</u>
Unalaska Bay, south	165E46'00"W Waters of Unalaska Bay from the southwest point of Amaknak Is. at Arch Rock west to the western point of Captains Bay at 53E52'45"N, 166E34'33", west along shore to Devilfish Point, north to the southern tip of Hog Is., east to shore of Amaknak Is. at northern end of airstrip at 53E54'16"N, 166E33'09"W, south along the shore of Amaknak Is. to the point of origin	Unalaska Is.
Captains Bay	All of the waters of the bay to the bridge separating Iliuliuk Harbor and a line at the mouth of the bay between Arch Rock point and the point of land at 53E52'45"N, 166E34'33"W	Unalaska Is.
Udagak Bay	Waters of the bay from a line between 53E44'32"N, 166E19'14"W and 53E44'32"N, 166E19'14"W	Unalaska Is.
Gibson Cove	Gibson Cove	City of Kodiak
Herring Bay	Herring Bay	City of Sitka
Jamestown Bay	Jamestown Bay	Near Cannon Is.
Rowan Bay	Rowan Bay	Kuru Is.
Silver Bay	Silver Bay	City of Sitka
Thorn Bay	Thorn Bay	POW Is.
Ward Cove	Ward Cove	City of Ketchikan

Figure 1. Locations of Alaska State Game Refuges, Critical Habitat Areas, and Sanctuaries.

Figure 2. Locations of National Wilderness Areas.

Figure 3. Locations of Steller sea lion rookeries in the Aleutian Islands and Bering Sea





Figure 4.      Locations of Steller sea lion rookeries in the Gulf of Alaska and southeast Alaska.

Figure 5. Locations of colonies of seabirds in Alaska.